

Appln No. 10/811,091
Amdt date October 21, 2005
Reply to Office action of May 3, 2005

REMARKS/ARGUMENTS

Claims 1-6, 8-16 and 18-20 are pending, with claim 1 being amended to include the limitations of deleted claim 7, claim 8 being amended to depend on claim 1 and independent claim 14 amended to include the limitations of deleted claim 17.

Turning now to substantive grounds of the rejection, the Examiner first rejects claims 1, 4, 5, 9, 10, 14, 18, 19, and 20 under 35 U.S.C. 102(b) as being anticipated by Lindley et al.

The Examiner next rejects Claims 2, 6, 11 and 15 under 35 U.S.C. 103(a) as being unpatentable over Lindley et al. in view of Savage. The Examiner also rejects claims 3 and 6 under 35 U.S.C. 103(a) as being unpatentable over Lindley in view of Chance et al. The Examiner further rejects claims 7, 8, and 17 under 35 U.S.C. 103(a) as being unpatentable over Lindley et al. in view of Savage and Byers. Lastly, the Examiner rejects claim 13 under 35 U.S.C. 103(a) as being unpatentable over Lindley et al. in view of Everly.

Applicant has carefully reviewed the cited references and the stated grounds of rejection, and respectfully traverses same. With respect to the rejection of claims 7, 8 and 17, independent claim has been amended to include the subject matter of deleted claim 7 and independent claim 14 has been amended to include similar subject matter from deleted claim 17. Applicant respectfully submits that the combination of Lindley et al. in view of Savage and Byers does not teach or suggest the invention. The Examiner notes that Lindley and Savage do not disclose the use of an aperture but that Byers discloses the use of a plastic body with an aperture for carrying the body of another structure and refers to figures 1b; column 4, lines 10-15 and figure 6, and notes that it would have been obvious to one of ordinary skill in the art to make the picks as disclosed by Lindley with the plastic material as disclosed by Savage and the aperture as disclosed by Byers in order to provide an attachment means for a pick.


Applicant respectfully disagrees. What Byers discloses is a pick holder that is a separate structure for carrying conventional picks. The pick holder is a structure completely separate from the pick itself. In contrast, amended independent claims 1 and 14 recite that the card body comprises "an aperture for carrying the card body and its at least one pick on another structure." With Applicant's claimed invention as amended (e.g., see figures 6 and 7), a user can purchase

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the single sheet or strip of picks as a unitary structure and hang this strip directly on some other structure, such as a microphone stand to locate the pick where they are needed and when desired, snap off a pick for use. This is in contrast to the Byers' pick holder, which is a unit totally separate from picks, which are contained within its pouch. Accordingly, Applicant respectfully submits that amended independent claims 1 and 14, and all remaining dependent claims recite patentable subject matter and allowance is solicited.

If the Examiner has any alternate suggestions, a telephone call to the undersigned would be appreciated.

Respectfully submitted,
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